

R E M A R K S

The Office Action mailed July 15, 2004 has been reviewed and carefully considered. New claims 13-16 are added. Claims 1-12 are pending, the independent claims remaining 1, 2, 5 and 8. Claims 3 and 8 are amended. Reconsideration of the above-identified application, as herein amended and in view of the following remarks, is respectfully requested.

Claims 3 and 8 stand rejected under 35 U.S.C. 112, second paragraph, for inconsistent numbering of interleaver ports, which has now been corrected in the manner suggested by the Examiner.

Claims 1-12 stand rejected under 35 U.S.C. 103(a) as unpatentable over U.S. Patent No. 6,278,536 to Kai et al. ("Kai") in view of U.S. Patent No. 5,633,741 to Giles.

Kai makes no disclosure or suggestion of interleaving in its bidirectional system.

Giles relates to the use of interleaving in conjunction with making a system bidirectional. Bidirectionality halves the number of channels in a given direction, so that they can be interleaved with reverse signals. Thus, the de-interleaved signal in a given direction enjoys greater inter-frequency spacing that affords easier filtering of the de-interleaved signal (Giles, col. 7, lines 29-42).

However, Kai is already bidirectional.

In addition, it is unclear how the Office Action contemplates modification of Kai, in view of Giles, to filter a de-interleaved signal.

It would appear that any potential benefit of such modification would be outweighed by the expense of implementing interleavers and de-interleavers at each Kai node 60 of the ring, rather than the Kai optical couplers 20, 21, 30, 31.

It is accordingly unclear what motivation would have existed to modify Kai in view of Giles.

For at least the above reasons, the combination of references proposed by the Office Action fails to render obvious the present invention as recited in the claims. Reconsideration and withdrawal of the rejection are respectfully requested.

Claims 13 to 16 are added to more particularly point out other aspects of what the applicants regard to be the invention. Support for claims 13-16 is found in FIG. 5A and accompanying text in the specification.

In view of the foregoing amendments and remarks, it is believed that this application is now in condition for allowance. The Examiner is invited to contact the undersigned in the event of any perceived outstanding issues so that passage of the case to issue can be effected without the need for a further Office Action.

Amendment
Serial No. 09/957,046

Docket No. 5000-1-211

In the event that any additional fee is required to continue the prosecution
of this Application as requested, please charge such fee to Deposit Account No. 502-470.

Respectfully submitted,

CHA & REITER

By 
Steve S. Cha
Attorney for Applicant

Date: 8/31/05

Mail all correspondence to:
Steve S. Cha
CHA & REITER
210 Route 4 East, #103
Hackensack, NJ 07652
Phone: (201) 226-9245
Fax: (201) 226-9246

SC/dr

Certificate of Mailing Under 37 CFR 1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to COMMISSIONER FOR PATENTS, ALEXANDRIA, VA 22313 on 8/31/05.

Steve Cha, Reg. No. 44,069
(Name of Registered Rep.)


(Signature and Date)